

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 31, 2007

DIVISION ONE

5-31-07
996893-07

The **HONORABLE FRANK Y. JACKSON**, Judge of the Superior Court of California, County of Los Angeles, is hereby assigned to assist the Court of Appeal, Second Appellate District, **Division One**, as a justice thereof, on the following dates:

June 1, 2007 to June 30, 2007

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

Dated: May 30, 2007

Ronald M. George
Chief Justice of California and
Chairperson of the Judicial Council

DIVISION ONE (continued)

B186387 Law Office of Daniel J. Doonan, Inc. (Not for Publication)
v.
Kenneth Lo et al.

The order denying Doonan’s motion for attorney’s fees is affirmed. The order imposing sanctions for Doonan’s motion for attorney’s fees is reversed, and the matter remanded with instructions to the trial court to enter an order denying Lo and Chang’s motion for sanctions. Lo and Chang shall recover their costs on appeal.

Rothschild, J.

We concur: Mallano, Acting P.J.
 Jackson, J. (Assigned)

B189389 People (Not for Publication)
v.
Jaime A. Martinez

The judgment is affirmed.

Rothschild, J.

We concur: Mallano, Acting P.J.
 Jackson, J. (Assigned)

B197166 Rosa F. (Not for Publication)
v
Superior Court Los Angeles (Los Angeles County, D.C.S.)

The petition for extraordinary writ is denied.

Rothschild, J.

We concur: Mallano, Acting P.J.
 Jackson, J. (Assigned)

DIVISION ONE (continued)

B192609 Los Angeles County, D.C.S. (Not for Publication)
v.
E.C.

The juvenile court's findings that mother knew or reasonably should have known of the physical and sexual abuse of Y. L. pursuant to counts a-1, b-1, b-2, and d-1 of the section 300 petition are reversed. The court is directed to amend its order to make findings rejecting those allegations. In all other respects, the court's orders and findings under section 300 are affirmed.

Rothschild, J.

We concur: Vogel (Miriam A.), Acting P.J.
 Jackson, J. (Assigned)

B189841 People (Not for Publication)
v.
Austin Rios

The judgment is modified to strike the sentence enhancement under section 12022, subdivision (a)(1). As modified, the judgment is affirmed. The trial court is directed to prepare a corrected abstract of judgment and forward a certified copy thereof to the Department of Corrections.

Rothschild, J.

We concur: Vogel (Miriam A.), Acting P.J.
 Jackson, J. (Assigned)

May 31, 2007 (Continued)

DIVISION ONE (continued)

B192294 People (Not for Publication)

V.

Demour J.

The judgment is affirmed.

Jackson, J. (Assigned)

We concur: Mallano, Acting P.J.

Rothschild, J.

B189904 Hasraj Parmar (Not for Publication)

V.

County of Los Angeles et al.

The judgment is affirmed.

Jackson, J. (Assigned)

We concur: Mallano, Acting P.J.

Vogel (Miriam A.), J.

B193644 People (Not for Publication)

V.

Manuel S.

The judgment is affirmed.

Jackson, J. (Assigned)

We concur: Mallano, Acting P.J.

Vogel (Miriam A.), J.

May 31, 2007 (Continued)

DIVISION ONE (continued)

B196739 Jennifer S. (Not for Publication)

v.
Superior Court, Los Angeles County
(Los Angeles County, D.C.S., r.p.i.)

The petition for extraordinary writ is denied.

Spencer, P.J.

We concur: Mallano, J.
 Rothschild, J.

B172120 Danzas AEI Intercontinental et al. (Not for Publication)

v.
Container Connection of Southern California, Inc.

The judgment in favor of plaintiffs and against CCSC is reversed. In all other respects, the judgment is affirmed. CCSC is awarded its costs on appeal.

Jackson, J. (Assigned)

We concur: Mallano, Acting P.J.
 Rothschild, J.

DIVISION TWO

B192597 People (Not for Publication)

v.
Navarro

The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Chavez, J.

DIVISION TWO (continued)

B189271 Welch, et al. (Not for Publication)

v.

St. George, et al.

The order granting respondents' motion to dismiss is affirmed.
Respondents are awarded costs on appeal.

Chavez, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

B194590 Los Angeles County, D.C.S. (Not for Publication)

v.

Maria A.

The juvenile court's orders sustaining count b-2 under section 300 and ordering DCFS to find suitable placement for Yesenia are affirmed.

Chavez, J.

We concur: Doi Todd, Acting P.J.
 Ashmann-Gerst, J.

DIVISION THREE

B195588 People (Not for Publication)

v.

Alexander Dunetz

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

May 31, 2007 (Continued)

DIVISION THREE (continued)

B193979 People (Not for Publication)

V.

Arthur Carrillo

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B190887 People (Not for Publication)

V.

Jamaul L. Monk

The judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

B191456 Tirso Del Junco Jr.

V.

V. Gorges Hufnagel et al

Filed order modifying opinion. (No change in the judgment)
Petition for rehearing denied.

DIVISION FOUR

B182423 Ophir RF, Inc. (Not for Publication)
 v.
 Bainvoll et al.

The judgment is affirmed. Defendants are awarded their costs.

Suzukawa, J.

We concur: Epstein, P.J.
 Manella, J.

B191034 Padilla et al. (Not for Publication)
 v.
 Carson Redevelopment Agency

The judgment is reversed. The matter is remanded for further proceedings.
The Padillas are awarded their costs on appeal.

Manella, J.

We concur: Willhite, Acting P.J.
 Suzukawa, J.

B191935 People (Not for Publication)
 v.
 Wade

The judgment is affirmed.

Manella, J.

We concur: Willhite, Acting P.J.
 Suzukawa, J.

May 31, 2007 (Continued)

DIVISION FOUR (continued)

B188303 People
v.
Sayres

Filed order denying petition for rehearing.

DIVISION SEVEN

B187062 People (Not for Publication)
v.
Delgado et al.,

The judgments are affirmed. The abstracts of judgment are ordered corrected to reflect the firearm-enhancement was imposed pursuant to section 12022.53, subdivisions (d) and (e)(1). The superior court is directed to prepare corrected abstracts of judgment and forward them to the Department of Corrections.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

DIVISION EIGHT

Court convened at 9:10 a.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Flier, J. and Connie Hon, Deputy Clerk.

Each of the following:

B192432 People v. Hall
B187180 People v. George
B192575 People v. Thomas
B191826 People v. Douglas
B193855 People v. Peterson

DIVISION EIGHT (continued)

Each of the following (continued):

B192879 People v. Brown
B186654 People v. Condiff
B194252 DCFS v. Maricela P. and Federico M.
B182347 People v. Kelly
B193054 People v. Jose Luis Martinez
B193720 People v. Jesus Osbaldo Martinez
B192412 People v. Vasquez
B189498 People v. Cumbess

Argument waived, cause submitted.

Each of the following:

B191271 Smith et al. v. Vista Behavioral Health Plans
B180457 Mejia v. California Home Development, LLC et al.,

Matter continued to June 28, 2007, at 9:00 a.m.

B190294 Rogari et al.
v.
Goldsberry et al.

Matter taken off calendar.

B190681 McOwen
v.
Grossman

Merits:

Argued by Christopher J. Day for appellant and by David Pruett for respondent. Cause submitted.

DIVISION EIGHT (continued)

B189861 Glynn,
 v.
 City Of Long Beach,

Merits:

Argued by Larry Glynn, appellant in propria persona and by Barry Meyers, Deputy City Attorney for respondent. Cause submitted.

B189156 Barnes,
 v.
 Ralphs Grocery Store et al.,

Merits:

Argued by Danny Barnes, appellant in propria persona and by Paul J. Lipman for respondents. Cause submitted.

B193014 Cal Western Reconveyance et al.,
 v.
 Reed,

Merits:

Argued by Walter Gordon for appellant and by Fesia Davenport for and Arnold Melvin Johnson for respondents. Cause submitted.

Rubin, J. left the bench.

B190194 People
 v.
 Yoakum,

Merits:

Argued by Barbara Michel for appellant and by Ana R. Duarte, Deputy Attorney General for respondent. Cause submitted.

Court adjourned at 10:39 a.m.

DIVISION EIGHT (continued)

B191247 Carr (Certified for Publication)

v.

Kamins

The order denying the motion to vacate the judgment is reversed. The matter is remanded to the trial court with directions to: (1) enter an order granting that motion; and denial of the motion for reconsideration is dismissed as moot. Appellant is to recover her costs on appeal.

Flier, J.

We concur: Rubin, Acting P.J.
Boland, J.

B193201 Los Angeles County, D.C.S. (Not for Publication)

v.

Lucille C.,

The judgment is reversed. The matter is remanded for further proceedings consistent with this opinion.

Flier, J.

We concur: Cooper, P.J.
Rubin, J.

B186582 People (Not for Publication)

v.

McClendon

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Flier, J.

May 31, 2007 (Continued)

DIVISION EIGHT (continued)

B190357 Gatz et al., (Not for Publication)
v.
Laughlin

For the reasons set forth above, the judgment is affirmed. Respondent Laughlin's request for appellate sanctions is denied.

Rubin, J.

We concur: Cooper, P.J.
Flier, J.

B192693 Los Angeles County, D.C.S. (Not for Publication)
v.
Joyce C.,
In re Gimaggio F. et al., Persons Coming Under the Juvenile Court Law.

The orders of the juvenile court are affirmed.

Cooper, P.J.

We concur: Boland, J.
Flier, J.

B193658 Los Angeles County, D.C.S. (Not for Publication)
v.
Darla M.,
In re Mackenzie L., a Person Coming Under the Juvenile Court Law.

The order denying mother's petition under section 388 of the Welfare and Institutions Code is affirmed.

Rubin, Acting P.J.

We concur: Boland, J.
Flier, J.